



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST REGIONAL OFFICE

April 26, 2013

Mr. Edward J. Kucowski  
Environmental Manager  
Waste Management of Pennsylvania, Inc.  
1000 New Ford Mill Road  
Morrisville, PA 19067

Re: State-Only Operating Permit  
Synthetic Minor, SMOP 09-00192.  
APS No. 765384, AUTH No. 903135  
Waste Management of Pennsylvania Dock Facility  
Falls Township  
Bucks County

Dear Mr. Kucowski:

Please find enclosed the initial State-Only Operating Permit for the Waste Management of Pennsylvania Dock Facility located in Falls Township, Bucks County. As you indicated by phone on April 1, 2013, you did not have any comments on the draft Operating Permit. Note that the three (3) IC engines at the facility (Source ID 102) are subject to the requirements of 40 CFR Part 60, Subpart IIII for Stationary Compression Ignition Internal Combustion Engines. Requirements have been included in the Operating Permit. Please include the permit number above with any correspondence to the Department of Environmental Protection (Department) concerning this Operating Permit. I wish to call your attention to several of your responsibilities specified within the permit conditions.

Condition No. 009 of the General Requirements in Section B of the subject Operating Permit requires you to submit information to demonstrate the facility's compliance with the terms and conditions of this Operating Permit, if requested. This requirement is specified in 25 Pa. Code Section 127.442(a).

If your facility includes sources that are subject to the reporting requirements of NSPS, NESHAPS, or other federal standards, submissions must be made to the Department and to the Environmental Protection Agency (EPA). The appropriate addresses are as follows:

Office of Air Enforcement and Compliance  
Assistance (3AP20)  
Air Protection Division  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Regional Air Quality Program Manager  
Department of Environmental Protection  
Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401

For reactivation provisions, please refer to Section 127.11a of Chapter 127, which details the procedure to follow. Please contact this office to determine if a Plan Approval is necessary for any proposed activities.

April 26, 2013


Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions concerning the terms and conditions of this permit, please contact Ms. Tina Vogler at 484.250.5069.

Sincerely,



Sachin Shankar, P.E.  
Environmental Engineer Manager  
New Source Review Section  
Air Quality

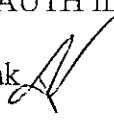
Enclosure


cc: Division of Permits - Central Office (Harrisburg)  
Mr. Stroble  
Ms. Vogler - Permit Reviewer (w/o enclosures)  
File No. 09-00192  
Ms. Duke - U.S. EPA, Region III (via e-mail)  
Re 30 (eh13air)093-3


Commonwealth of Pennsylvania  
Department of Environmental Protection  
Southeast Regional Office  
(484) 250-5920

**Date:** April 18, 2013

**Subject:** Review Memo:  
Initial State-Only Operating Permit  
Application No. SMOP 09-00192  
Waste Management of Pennsylvania, Inc.  
Dock Facility  
Falls Township, Bucks County  
APS ID #765384, AUTH ID #903135

**To:** James D. Rebarchak   
Regional Manager  
Air Quality Program

**From:** Tina C. Vogler, P.E.   
Air Quality Engineer

**Through:** Sachin Shankar, P.E.   
Environmental Engineer Manager

**1. Application Overview**

On October 27, 2011, the Department received an application from Waste Management of Pennsylvania, Inc. (Waste Management) for its initial synthetic minor operating permit for its Dock Facility, located at Dock Road<sup>1</sup> and the Delaware River, Falls Township, Bucks County. The facility is currently operating under Plan Approval 09-0192<sup>2</sup> (expiration July 6, 2013), which serves as the basis for the terms and conditions in this State Only Operating Permit.

Waste Management is the landowner of the Dock Facility, a bulk material handling and temporary storage facility which contains marine transport, loading, unloading and storage equipment operated by third parties. The Dock Facility is considered a synthetic minor facility, since it has taken throughput and emissions limitations to keep emissions below major source (Title V) threshold for PM (particulate matter), PM<sub>10</sub><sup>3</sup> and PM<sub>2.5</sub><sup>3</sup>. The facility will achieve the emissions limitations through the use of fugitive dust controls. The facility has taken a restriction to limit emissions of hazardous air pollutants (HAP) to less than 1.0 ton/year on a 12-month rolling basis. No other pollutants are emitted by stationary sources at the facility.

Waste Management has submitted municipal notification to Falls Township and Bucks County, as required by 25 Pa Code §127.413. The applicant has also submitted an operating permit and annual administrative fee totaling \$750.00 with the application and is up-to-date on payment of

<sup>1</sup> Also known as Penn Manor Road, a private road. Nearest public address: 1400 Bordentown Rd.

<sup>2</sup> Issue date July 6, 2010

<sup>3</sup> Particulate matter less than 10 microns (PM<sub>10</sub>) and 2.5 microns (PM<sub>2.5</sub>)

prior annual administrative fees. The facility is classified under NAIC code 488310 – Port and Harbor Operations.<sup>4</sup>

## **2. Source and Control Devices**

The Dock Facility comprises the Sources and Control Devices indicated in Table 1.

Table 1

### Sources and Control devices at the Dock Facility

Source	Source ID	Operating Parameters
Bulk Material Handling System	101	Throughput Limitation: 5,816,000 tons/ 12-month rolling period
IC Engines (3)	102	1 at 37.1 bhp/ 2 at 33.8 bhp each
Aggregate Handling Wet Suppression	C01	Applied to scrap steel, as needed to comply with 25 Pa. Code Section 123.1
Road Dust Wet Suppression	C03	Applied to roads, as needed to comply with 25 Pa. Code Sections 123.1 and 123.2

The three (3) internal combustion (IC) engines are owned and operated by the Dock Facility's tenants. Two engines are Kubota Model V2203M (prime rating: 33.8 hp) and one is a Yanmar Model 4TNV84T, Model Year 2010 (Max. engine power 37.1 bhp). All three are exempted from Plan Approval in accordance with Department guidelines in Document No. 275-2101-003 (July 26, 2003), pursuant to 25 Pa. Code Section 127.14(a)(8) No. 4, an internal combustion engine rated at less than 100 brake horsepower.

### **2.1 Source Description and Operation**

The Bulk Handling System (Source 101) comprises various hoppers, cranes with clamshell buckets, orange peel grapples, magnetic stackers, rubber tire loaders, front end loaders and various stockpile areas used to store and transfer material to and from the Dock Facility.

Materials currently approved for handling by the Bulk Handling System include pumice, gypsum, slag, salt, scrap steel, including shredded scrap steel and landfill cover soils<sup>5</sup>. Additional materials may be approved by the Department with the submission of a Request for Determination (RFD).

Operations at the facility include off- loading of aggregates from ships, loading of shredded scrap metal onto ships, formation of storage piles, stockpile maintenance, subsequent loading of trucks for delivery of materials and use of roads by trucks.

In the case of salt unloading, cranes with clamshell buckets unload the salt into portable hoppers. Trucks drive under each hopper. The hopper gate is opened by an operator when they are ready to discharge into each truck. Trucks then unload the salt into storage piles at the facility and re-

<sup>4</sup> Equivalent SIC: 4491 – Transportation & Utilities – Marine Cargo Handling.

<sup>5</sup> Receipt of landfill cover soils is limited to 100,000 tons per 12-month rolling period.

load when the salt is ready to ship out. Some truckloads leave the facility without intermediate storage.

Bulk materials other than salt are off-loaded by the ship's gear directly behind a retaining wall erected near the water's edge. The off-loaded material is subsequently picked up, loaded into trucks and transferred to storage piles at the facility.

Scrap steel is more commonly brought onto the site by trucks, rather than off-loaded from ships, and stored in piles at the facility. Subsequently, it is loaded onto ships by cranes with orange peel grapples from piles placed behind a retaining wall. Storage piles are constructed and maintained using magnetic stackers.

Off-loading or loading operations vary seasonally and are sporadic, 2-5 days per vessel depending on the shipment. Approximately 10-12 vessels per year are off-loaded with salt and approximately 2 vessels per month are loaded with scrap steel. However, the bulk material handling facility operations, including stockpile storage and truck loading, may occur 24 hours per day throughout the year.

The three IC Engines/generators provide power for facility operations as needed.

### 2.2 Control Device Description and Work Practices to Limit Emissions

Fugitive road dust associated with the on-site movement of trucks is controlled by wetting of the roadways by water trucks (Source ID C03). A water truck with a spray bar attachment is used to control emissions of oxidized metal dusts during loading, unloading operations and stockpile maintenance of scrap steel (Source ID C01). Emissions from salt are minimized by incorporation of a minimum of 0.3% moisture prior to shipment to the facility. Non-working faces of salt piles are tarped thereby minimizing emissions from stockpiles. In addition, since the salt pile is hygroscopic, a crust-like surface layer forms on exposed surfaces, which reduces wind erosion. Since control and ownership of the air pollution control equipment rests with third parties, Waste Management assures the appropriate use of the Dock Facility by requiring each lessee to prepare a BMP (Best Management Practices) and conduct inspections of their operations. As a permittee, Waste Management remains responsible for the activities and sources at the site.

### 3. Inspection

An initial Operating Permit inspection (report attached) was performed on April 21, 2011. Follow-up records were received by the Department on May 12, 2011 and June 14, 2011.

A ship was being loaded with scrap steel at the time of the inspection. The Department had some concern that one of the crane operators did not always move the crane completely over the retaining wall, as provided by the company's BMP plan, risking spilling material into the river. Waste Management was notified of the concern. Stones and dirt were being trucked to and stored at the landfill, which were not on the list of approved materials (Condition #003(a)) in the Plan Approval. Waste Management personnel explained that this material was clean fill intended as cover soil for the GROWS landfill. The Department requested Waste Management to submit a Request for Determination (RFD) for the soils storage in accordance with Condition #003(b)(3) of the Plan Approval. The Department approved RFD #2597 on December 6, 2011, subject to

adherence to the Department's Clean Fill policy,<sup>6</sup> a limitation of 100,000 tons received per 12-month rolling period and the conditions of Plan Approval 09-0192, as applicable.

#### 4. Allowable Emissions

##### 4.1 Criteria pollutants

The Dock Facility is limited to the following emissions of particulate matter on a 12-month rolling basis:

Particulate matter (PM)	79.8 tons/year
PM10	34.6 tons/year
PM2.5	12.2/year

Calculation procedures for the emissions estimates were given with the Plan Approval 09-0192 application.<sup>7</sup>

In addition, any bulk materials handled shall emit less than 1.0 tons/year of any HAP and no volatile organic compounds (VOC).

##### 4.2 Greenhouse Gases

The only stationary sources of greenhouse gases<sup>8</sup> at the Dock Facility are the three IC engines. The applicant calculated the greenhouse gas emissions from the facility by using the emissions factors from 40 CFR Part 98, Subpart C, Tables C-1 (CO<sub>2</sub>, #2 distillate fuel) and C-2 (CH<sub>4</sub>, N<sub>2</sub>O, all petroleum based fuels) with vendor provided maximum fuel rates and operator estimated maximum hours of operation.

Emissions of the greenhouse gases were converted to carbon dioxide equivalents (CO<sub>2</sub> e) by using the global warming potentials from 40 CFR Part 98 Subpart A, Table A-1 for CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> of 1, 310, and 21 respectively. The Department added the individual engine CO<sub>2</sub>e emissions to obtain an estimate for the facility.

A summary of the parameters used in the calculation is provided in Table 2A and a summary of the greenhouse gases and CO<sub>2</sub>e emissions is given in Table 2B.

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<sup>6</sup> DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT  
DOCUMENT NUMBER: 258-2182-773/draft

<sup>7</sup> Tina C. Vogler to James D. Rebarchak, Review Memo, Plan Approval 09-0192, June 24, 2010

<sup>8</sup> the aggregate group of carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride

Table 2A  
Greenhouse Gas Emissions Dock Facility  
Parameters Used in Calculation

Engine	Fuel Usage gal/hr	HHV, MMBtu/gal	Hours oper./year	Ef, CO2 Kg/MMBtu	Ef, CH4 Kg/MMBtu	Ef, N2O Kg/MMBtu
#1 – 37.1 bhp	2	0.138	4657	73.96	6.00E-04	3.00E-03
#2 – 33.8 bhp	1.93	0.138	1728	73.96	6.00E-04	3.00E-03
#3 – 33.8 bhp	1.93	0.138	1728	73.96	6.00E-04	3.00E-03

Table 2B  
Greenhouse Gas Emissions Dock Facility  
Potential to Emit

Engine	CO2, Metric tons/year	N2O, Metric tons/year	CH4, Metric tons/year	CO2, Metric tons/year CO2e	N2O, Metric tons/year CO2e	CH4, Metric tons/year CO2e	CO2e, Tons/year
#1 – 37.1 bhp	95.1	0.0008	0.0039	95.1	0.239	0.081	105.1
#2 – 33.8 bhp	34.1	0.0003	0.0014	34.5	0.086	0.029	37.7
#3 – 33.8 bhp	34.1	0.0003	0.0014	34.5	0.086	0.029	37.7
Total							180.5

### *Example Calculation*

Engine #2 – CO2e

$$\text{Tons/year} = 1.1 \text{ tons/metric ton} \times (73.96 \text{ kg CO}_2/\text{MMBtu} \times 1 + 6.00\text{E-}4 \text{ kg CH}_4/\text{MMBtu} \times 21 + 3.00\text{E-}03 \text{ kg/MMBtu} \times 310) \times 0.001 \text{ metric ton/kg} \times 1.93 \text{ gal/hr} \times 1728 \text{ hours} \times 0.138 \text{ MMBtu/gal}$$

where 0.138 MMBtu/gal is the  
heating value of the diesel fuel

$$\text{Tons/year} = 37.7$$

### **5. Monitoring and Testing**

Waste Management shall test each material received into the Dock Facility except for scrap steel, for moisture content every 2 years, unless the moisture content is provided by the supplier. This condition was written into the Plan Approval and there is no change for the Operating Permit.

## 6. Regulatory Review

In accordance with 25 Pa. Code Section 127.402(a), a person may not operate a stationary air contamination source unless the Department has issued to the person a permit to operate the source under this article in response to a written application for a permit submitted on forms and containing the information the Department may prescribe. The applicant has complied with the requirements of 25 Pa. Code Section 127.402(a), by submitting the application.

### 6.1 Previously Evaluated Regulations

As determined during the process for Plan Approval 09-0192, the applicable regulations that were evaluated already are:

## 25 Pa. Code

### Section C

**25 Pa. Code Section 121.7** prohibits air pollution.

**25 Pa. Code Sections 123.1 and 123.2** enumerate prohibitions against fugitive emissions and **123.31** describes prohibitions against malodors.

**25 Pa. Code Section 123.41** limits opacity to not equal or exceed 20% opacity in any three minute period in any hour or equal or exceed 60% opacity at any time, with exceptions as noted in Section **123.42(1)** and **(3)** for uncombined water and sources in 25 Pa. Code Section **123.1(a)(1) – (9)**.

**25 Pa. Code Section 123.43**, describes methods of visible emissions testing using Department approved devices or observers trained in opacity reading.

**25 Pa. Code Section 129.14**, prohibits open burning.

**25 Pa. Code Section 127.441** authorizes the Department to include terms in the permit that are deemed necessary for operation of the source. **25 Pa. Section 127.511** authorizes the Department to require monitoring or record keeping needed to determine compliance with the conditions in the permit. **25 Pa. Section 127.512(h)** requires that the Department will include in the permit emission limits, standards and operational requirements to assure compliance with the limitations in the permit. The following Standard Conditions for the site, are taken under the authority of these three regulations and based on the Plan Approval. Conditions are identified by the Condition number from Plan Approval 09-0192.

#005 Limits the facility emissions as in Section 4.0

#007 Requires whatever tests are deemed necessary to determine the actual emission rates if at any time the Department has cause to believe air contamination emissions are above the limitations in the permit. Testing shall be in accordance with 25 Pa. Code Chapter 139.

#008 Specifies monitoring of odors, visible and fugitive emissions, once per operating day, investigation, corrective action and recording requirements. This condition Includes options for reduced monitoring frequency to weekly or monthly upon permittee's request.



#009 Specifies recording of the daily monitoring in Condition #008 and the recording of deviations from the odor, visible and fugitive emission limitations in the permit. The condition also specifies recording of the area monitored, date and time of the monitoring. The condition includes requirement for recordkeeping of odor, visible and fugitive emissions that are observed during times not part of the daily inspection.

#010 Requires recordkeeping of total facility PM/PM10/PM2.5 emissions on a monthly & 12-month rolling basis.

#011 Requires notification of malfunctions in the source to the Department within 2 hours of identification, or immediately in cases of imminent danger. The condition includes requirements for follow-up reporting.

#012 Mandates operation of the sources with good operation and maintenance practices. With this incorporation, the condition is reworded to sources & control devices identified in Section A and Section G.

Additional Conditions taken under the authority of these regulations:

- \* A Recordkeeping condition is included for emissions increases, of minor significance or authorized by the Department through Request for Determination or Plan Approval.
- \* A Reporting condition for Risk Management reporting pursuant to 40 CFR Part 68, as applicable is included. This condition was previously in Section B of the Plan Approval.
- \* A Work Practice condition is included to requires the permittee to apply for installation of an air cleaning device, as necessary, any time the operation of the sources in the permit is in excess of any applicable rule promulgated under the Clean Air Act.
- \* A Work Practice condition is included that forbids modifications to any air contaminant system, except for modifications producing de minimis increases under 25 Pa. Code Section 127.449.

#### Source Level Requirements (Section D)

The following conditions from Plan Approval 09-0192 are taken under the authority of **25 Pa Code Section 127.441**. Conditions are identified by the Condition number from Plan Approval 09-0192.

- #001 – Limits emissions of VOC and HAP
- #002 – Limits total throughput to 5,816,000 tons of air contaminant producing materials per 12-month rolling period and clean cover soils to 100,000 tons per 12-month rolling period.

#003 – Includes the (dust producing) materials approved for the facility: pumice, gypsum, slag, salt, scrap steel, clean cover soils. Requires notification to the Department for non-air contaminant producing materials and an RFD for approval of additional materials.

#004 – Limits moisture content of salt to 0.3%.

#005 – Requires testing or supplier validation for moisture content of received materials.

#006 – Requires the monitoring of wind speed

#007, #017 – Require the monitoring and recording of material throughputs on a monthly and 12-month rolling basis

#008, #014 – Require the monitoring and recording of material maintained in stockpiles on a monthly basis

#009, #015 – Require emissions calculations and recording on a monthly and on a 12-month rolling basis.

#010, #019 – Require the monitoring and recording of vehicular miles traveled on a monthly basis

#011, #020 – Require the monitoring and recording of the quantity of materials transferred on a monthly basis

#012 – Specifies recordkeeping per shipment to include date, materials, moisture content tonnage, time, and interruptions

#013 – Prohibits spillage into the Delaware River

#016 – Mandates recordkeeping of wind speed and direction during transfer operations

#018 – Requires recordkeeping of when water suppression is used on scrap steel

#021- Requires recordkeeping of when a water truck/street sweeper is used to control emissions from roads

#022, #035 – Mandates a BMP for each lessee and the keeping of it as a record by the permittee

#023 – Requires notice to the Department of ship unloading/loading for observation purposes.

#024, #026, #028 – Specifies loading/unloading and pile maintenance procedures to minimize emissions

#027, #031 – Species storage procedures to minimize emissions

#028 – Prohibits operation during sustained wind speeds of 25 mph to more

#029 – Prohibits crushing of material received into the facility

#032 – Requires control of fugitive emissions from roads by a water truck/street sweeper.

#033 – Lists equipment comprising the bulk material handling system

#034 – Specifies calculation procedures

In addition, a condition is included requiring that clean cover soils received into the facility adhere to the Department's Clean Fill Policy.

***The facility is not subject to:***

No *National Emissions Standards for Hazardous Air Pollutants* (NESHAPs) codified in 40 CFR Part 61 apply to the facility.

The *Greenhouse Tailoring Rule* (promulgated June 3, 2010), codified under 40 CFR Section 52.21(b)(49) is not applicable to the facility.

In accordance with 40 CFR Section 52.21(b)(49)(v)(b), for permits issued on or after July 1, 2011 the *Greenhouse Tailoring Rule* will define a facility as major under the Prevention of Significant Deterioration (PSD) program if the facility emits or has the potential to emit 100,000 tons per year or more of carbon dioxide equivalents<sup>9</sup> (CO<sub>2</sub>e) and 100/250 tons/yr <sup>10</sup>CO<sub>2</sub>e constituents on a mass basis. Definition of a facility as major under the *Greenhouse Tailoring Rule* will subject a facility to future regulation under the PSD program for greenhouse gases for projects also having major increases in CO<sub>2</sub>e and its constituents.

The Greenhouse Tailoring Rule does not apply since the Dock Facility is not major for greenhouse gases (see Table 2B) or any contaminant.

#### 6.1 Updated Regulatory Analysis

The following conditions are newly evaluated for the Dock Facility and will be included in the initial Operating Permit issuance.

**25 Pa. Code Section 135.3**, requires a source report for the previous year by March 1 for sources not belonging to a minor class exempt by 25 Pa. Code Section 135.2 and that have been advised by the Department to submit a source report. The regulation also allows for an extension of time for filing the report for reasonable cause.

The following Regulatory Analysis applies to the three IC engines (Source ID 102).

*National Emissions Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories: Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)* is applicable to Source ID 102 pursuant to 40 CFR Section 63.6585(a). In accordance with 40 CFR Section 63.6590(c)(1), new RICE<sup>11</sup> at area sources of HAP<sup>12</sup> shall comply with the Subpart by complying with 40 CFR Part 60, Subpart IIII for compression ignition (CI) engines.

*Standards of Performance for New Stationary Sources (NSPS): Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* is applicable to Source ID 102 pursuant to 40 CFR Section 60.4200(a)(2)(i), as stationary CI RICE manufactured after April 1, 2006 that are not fire pump engines.

Subpart IIII includes the following requirements for each engine, which will be included in the Operating Permit.

<sup>9</sup> CO<sub>2</sub>e (carbon dioxide equivalent emissions) includes the aggregate group of carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

<sup>10</sup> Depending on the source category.

<sup>11</sup> In accordance with 40 CFR Section 63.6590(a)(2)(iii) is new if construction commenced on or after June 12, 2006.

<sup>12</sup> Pursuant to 40 CFR Section 63.6585(c) an area source of HAP emissions is a source that is not a major source. A major source of HAP is a site that emits or has the potential to emit any single HAP at a rate of 10 tons/year or a combination of HAPs at 25 tons/year. The Dock Facility is an area source of HAP.

## Emissions Restrictions

40 CFR Section 60.4204(b)	Owners and operators shall comply with the emission standards for new CI engines in 40 CFR Section 60.4201, as applicable.
40 CFR Section 60.4201(a)	The engine shall be certified to the emission standards for new nonroad CI engines in 40 CFR 89.112, 40 CFR 89.113, 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same model year and maximum engine power.

## Fuel Restrictions

40 CFR Section 60.4207(b)	The owner/operator shall use diesel fuel that meets the requirements of 40 CFR Section 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel obtained prior to October 1, 2010 may be used until depleted.
40 CFR 80.510(b)	<p>(b) Beginning June 1, 2010, all nonroad diesel fuel is subject to the following per-gallon standards:</p> <p>(1) Sulfur content. 15 ppm maximum</p> <p>(2) Cetane index or aromatic content, as follows:</p> <p>(i) A minimum cetane index of 40; or</p> <p>(ii) A maximum aromatic content of 35 volume percent.</p>

## Testing

40 CFR Section 60.4211(g)(1)	If the owner/operator does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or if the emission-related settings are changed in a way that is not permitted by the manufacturer, the owner/operator shall conduct an initial performance test to demonstrate compliance
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	with the applicable emission standards within 1 year of such action.
40 CFR Section 60.4212	This section describes the emissions testing requirements for IC engines with a displacement of less than 30 liters per cylinder.

#### Work Practice

40 CFR Section 60.4211(a)	The owner/operator shall, except as provided in 40 CFR Section 60.4211(g)(1).
	(a)
	(1) Operate and maintain the engine and any control device according to the manufacturer's emission-related written instructions;
	(2) Change only those emission-related settings that are permitted by the manufacturer; and
	(3) Meet the applicable requirements of 40 CFR parts 89, 94 and/or 1068.
40 CFR Section 60.4211(g)(1)	(b) If the owner/operator does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or if the emission-related settings are changed in a way that is not permitted by the manufacturer, the owner/operator shall keep a maintenance plan and records of conducted maintenance to demonstrate compliance with Subpart IIII and shall, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.

#### Additional

40 CFR Section 60.4211(c)	The owner/operator shall demonstrate compliance with the emissions limitations in 40 CFR Section 60.4204(b), by purchasing an engine certified to the emissions standards in 40 CFR Section 60.4204(b).
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## 7. Changes to Plan Approval 09-0192 with Incorporation

### Cover Page

Responsible Official is changed to Robert M. Iuliucci, Sr.

Any references to conditions refer to the condition number in Plan Approval 09-0192.

### Section A

Source ID 102 is added to the Inventory and Permit Maps.

### Section C

The phrase "pursuant to 25 Pa. Code Section 129.14" is added to Condition #002(a)(6), pertaining to open burning emissions.

"The permittee may not permit" is changed to "No person may permit" in Condition #006, relating to open burning prohibition, to conform to wording in the regulation.

The following conditions are included:

- \* Recordkeeping for emissions increases
- \* Reporting for Risk Management pursuant to 40 CR Section 68. This condition was in Section B of the Plan Approval.
- \* Reporting condition for submission of annual source emissions inventory reports, pursuant to 25 Pa. Code Section 135.3.
- \* Work Practice requiring the installation of an air cleaning device at any time to comply with any applicable air quality regulation
- \* Work Practice forbidding modification to any air contaminant system except for those producing de minimis emissions increases.

### Section D

#### Source ID 101

Based on approved RFD # 2597,

#002 - The condition is modified to include unloading of materials from trucks as well as ships, and in addition the throughput limitation of 100,000 tons for clean cover soils per 12-month rolling period is included.

#003 - Clean cover soils are added to the approved materials.

#007, #008, #011, #014, #017, #020 - Clean cover soils are added to the materials list.

A condition requiring that clean cover soils received into the facility adhere to the Department's Clean Fill Policy is added.

#012(3) - The condition is clarified to include the recording of whether the moisture content is obtained from the supplier or a test and the date of the test.

#030 - The condition is clarified to refer to crushing of materials received into the facility pursuant to Conditions #002 and #003.

Source ID102

The applicable requirements of 40 CFR Part 60 Subpart IIII are included, as described in Section 6.1.

Miscellaneous

\* Changes from Plan Approval 09-0192, with the issuance of the initial Operating Permit are noted.

**8. Publication**

The notice of intent to issue was published in the Pennsylvania Bulletin on March 2, 2013 (Vol 43, No. 9).

**9. Comments**

(a) The Department received no comments from the public.

(b) The company indicated to the Department in a phone call on April 1, 2013, that it did not have any comments.

**10. Recommendation**

I recommend that the initial State Only Operating Permit (Synthetic Minor) be issued to Waste Management of Pennsylvania, Inc. and include the incorporation of Plan Approval 09-0192 and RFD # 2597.

